



## CITY OF MORGAN HILL

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17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

### CITY COUNCIL AGENDA

### REGULAR MEETING

WEDNESDAY, MARCH 4, 1998

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Morgan Hill Civic Center	Mayor	Dennis Kennedy
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Council Chambers 17555 Peak Avenue Morgan Hill, California 95037	Mayor Pro Tempore Council Member Council Member Council Member	Bev E. Freeman Hedy L. Chang Cynthia J. Cook J. Robert Foster
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**7:00 P.M.**

**CALL TO ORDER**  
( Mayor Kennedy)

**ROLL CALL ATTENDANCE**  
(City Clerk Torrez)

**DECLARATION OF POSTING OF AGENDA**  
Per Government Code 54954.2  
(City Clerk Torrez)

**SILENT INVOCATION**

**PUBLIC SERVICE ANNOUNCEMENT**  
Eric Hilding

**PLEDGE OF ALLEGIANCE**

	<b><u>RECOGNITIONS</u></b> <i>Traffic Safety Task Force</i>	
Roslyn Braman	Corporal Mike Brookman	Scott Creer
Karen Leavitt	Rhonda Matulewicz	Chuck Oleson
George Panos	Jim Riley	Lauren Tollefsrud

**CITY COUNCIL REPORT**  
Mayor Kennedy

**CITY MANAGER'S REPORT**

**CLOSED SESSION ANNOUNCEMENTS/CITY ATTORNEY'S REPORT**

**PUBLIC COMMENTS**

Mayor Kennedy

The Morgan Hill City Council welcomes comments from all individuals on any agenda item being considered by the City Council. Please complete a Speaker Card and present it to the City Clerk. This will assist the Council Members in hearing your comments at the appropriate time. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council are limited to Three Minutes. We appreciate your cooperation.

**NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS EVENINGS AGENDA.**

**CONSENT CALENDAR:**

The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually. Items pulled will be discussed following Other Business agenda items.

1. **A RESOLUTION CONTINUING LOCAL EMERGENCY**  
**Recommended Action:** **Adopt** resolution.
2. **VACATION OF 50 FOOT ROADWAY RESERVE ACROSS PARCEL 9 ON CONCORD CIRCLE**  
**Recommended Action:** 1) **Adopt** attached Resolution thereby vacating a 50 foot roadway reserve across parcel 9 on Concord Circle and as shown upon parcel map 468 M 16-18 and 2) **Direct** the City Clerk to file a certified copy of the Resolution in the Office of the Recorder of Santa Clara County.
3. **VACATION OF A STORM DRAIN AND SANITARY SEWER EASEMENT FOR THE LA CROSSE VILLAGE II DEVELOPMENT**  
**Recommended Action:** 1) **Adopt** Resolution declaring Summary Vacation of a storm drain and sanitary sewer easement south of Vineyard Boulevard between La Crosse Drive and Monterey Road and 2) **Direct** the City Clerk to file a certified copy of the Resolution in the Office of the Recorder of the County of Santa Clara.
4. **PURCHASE OF PUBLIC WORKS AND BUILDING DEPARTMENT VEHICLES**  
**Recommended Action:** 1) **Adopt** the attached resolution authorizing the City to make purchases through the State Department of General Services and 2) **Approve** the vehicle purchases through the State of California General Services Procurement process for the vehicles identified in this report.
5. **APPROVAL OF A LABOR CONTRACT BETWEEN THE CITY OF MORGAN HILL AND THE MORGAN HILL COMMUNITY SERVICES OFFICERS ASSOCIATION (CSOA)**  
**Recommended Action:** **Adopt** a resolution to approve the attached Memorandum of Understanding with the Morgan Hill Community Services Officers Association for the period of July 1, 1997, through June 30, 1999.
6. **AWARD OF BID FOR HIGH SPEED COPIER**  
**Recommended Action:** **Award** bid for high speed copier to IKON, Canon 6285.
7. **APPROVAL OF REGULAR MEETING MINUTES OF FEBRUARY 18, 1998**
8. **APPROVAL OF SPECIAL MEETING MINUTES OF FEBRUARY 25, 1998**

**LEGALLY NOTICED PUBLIC HEARINGS:**

**9. STREET NAME CHANGES-MEDICAL CENTER DRIVE, PARKVIEW DRIVE & LORI DRIVE**

**Recommended Action:** Request staff presentation.

The Mayor will open the Public Hearing.

Please limit your remarks to 3 minutes. The Mayor will close the Public Hearing.

Council discussion.

Action - Motion to Adopt resolution approving the street name changes.

**10. ANNEXATION APPLICATION, ANX-97-03: DEWITT - DEWITT LANDOWNERS ASSOCIATION (APN 773-08-012, 013 & 014)**

**Recommended Action:** Request staff presentation.

The Mayor will open the Public Hearing.

Please limit your remarks to 3 minutes. The Mayor will close the Public Hearing.

Council discussion.

Action - Motion to Approve resolution for annexation.

**OTHER BUSINESS:**

**11. COMPUTER SERVICES CONTRACT (continued from February 18, 1998)**

**Recommended Action:** Authorize City Manager to execute contract with UltraServ, Inc.

**12. COMMUNITY PARK BASEBALL FIELD DESIGN MODIFICATIONS**

**Recommended Action:** Authorize staff to negotiate a new contract with Beals Landscape for preparation of plans and specifications for Phase 1 of the Community Park Ballfield Upgrade as presented herein.

**13. APPROVE CHANGE ORDER FOR CITY HALL LANDSCAPING PROJECT**

**Recommended Action:** 1) Approve Change Order for City Hall Landscaping project in the amount of \$11,550 and 2) Appropriate \$13,550 from the unappropriated Parks Maintenance Fund balance for this project.

**14. MID-YEAR BUDGET ANALYSIS**

**Recommended Action:** 1) Approve proposed mid-year adjustments and 2) Accept and file mid-year report.

**15. REVIEW OF REVISED TRUCK ROUTE AND TRUCK PARKING ORDINANCE**

**Recommended Action:** Direct staff to set the public hearing on the proposed Truck Route Ordinance as soon as possible.

**16. REQUEST FROM IDI THAT CITY FUND TEMPORARY BRIDGE BETWEEN GALVAN PARK AND BRITTON MIDDLE SCHOOL**

**Recommended Action:** Consider the request from IDI and give direction to staff.

**17. COUNCIL APPOINTMENT TO THE FINANCE & AUDIT COMMITTEE**

**Recommended Action:** Appoint one member of the City Council to serve a six-month term on the Finance & Audit Committee.

**18. ORDINANCE REVISION REGARDING THE LIBRARY COMMISSION**

**Recommended Action:** 1) Waive the reading in full of an ordinance revising Chapter 2.68.020 of the Morgan Hill Municipal Code as it relates to membership on the Library Commission and 2) Introduce the ordinance on first reading.

**ROLL CALL VOTE:** The Roll Call Vote, Agenda Item 19 may be acted upon with one motion, a second and the roll call vote. The titles having previously been read, no second reading is required. (Government Code Section 36934)

**19. SECOND READING AND ADOPTION OF ORDINANCE NOS. 1380 AND 1381 NEW SERIES**

**ORDINANCE NO. 1380 N.S.** -- An Ordinance of the City Council of the City of Morgan Hill approving amendments to the R-1 (7,000)/RPD, Single Family zoning district on nine acres located on the north side of Barrett Avenue, west of Medical Center Drive to include adoption of a precise development plan for twenty (20) single-family units within Phase II of the Rose Haven project (APN 817-10-031) and,

**ORDINANCE NO. 1381 N.S.** -- An Ordinance of the City Council of the City of Morgan Hill approving a Development Agreement for 14 Phase II single family units with the "Rose Haven" project (APN 817-10-031), deleting paragraph 14 (1)(ii).

**FUTURE COUNCIL-INITIATED AGENDA ITEMS:**

This Is an Opportunity for Members of the City Council to Request Items for Future Agendas.

Note: in Accordance with Government Code Section 54954.2(a), There Will Be No Discussion, Debate And/or Action Taken on Any Request Other than Providing Direction to Staff to Place the Matter of Business on a Future Agenda.

**CLOSED SESSION:** The closed session matters will be announced. The City Council will adjourn to Closed Session after receiving any public comments on said matters.

**OPPORTUNITY FOR PUBLIC COMMENT**

**1.**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

Legal Authority:	Government Code Section 54957
Title of Employee:	City Manager

**2.**

**CONFERENCE WITH LABOR NEGOTIATOR:**

Legal Authority:	Government Code Section 54957.6(a)
Agency Negotiator:	Dennis Kennedy, J. Robert Foster
Unrepresented Employee:	City Manager

**CLOSED SESSION ANNOUNCEMENT:**

**ADJOURNMENT**

**FUTURE COUNCIL AGENDA ITEMS:**

1. Presentation on Economic Projections by Bob Engels
2. General Plan Amendment - Amend Elements regarding Morgan Hill School Site
3. Resolution adopting Live Entertainment fee
4. Flood Ordinance update
5. City Manager Employment contract
6. Advisory Committee appointment process

**OPEN PUBLIC COMMENT PERIOD (3 MINUTES)**

At **7:00 p.m.** following the opening of Council business, the public may present comments on items **NOT** appearing on the agenda that are within the Council's jurisdiction. Should your comments require Council action, your request will be placed on the next appropriate agenda. No Council discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

**SPEAKER CARDS**

In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council. However, it is very helpful to the Council if you would fill out the speaker card that is available on the counter in the Council Chambers. Please fill out a card and return it to the City Clerk. As your name is called by the Mayor, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. Please limit your remarks to 3 minutes.

**NOTICE**

**AMERICANS WITH DISABILITY ACT (ADA)**

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the City Council agenda, please contact the Office of the City Clerk at City Torrez, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

**NOTICE**

Notice is given, pursuant to Government Code Section 65009, that any challenge of Agenda Items #9 through #10 in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

**NOTICE**

The time within which judicial review must be sought of the action by the City Council which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.